

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the  
Commission's Own Motion to Determine  
Whether Baseline Allowances for Residential  
Usage of Gas and Electricity Should Be Revised.

Rulemaking 01-05-047

**ADMINISTRATIVE LAW JUDGE'S RULING  
SETTING PREHEARING CONFERENCE  
AND REQUIRING PREHEARING CONFERENCE STATEMENTS**

**1. Summary**

This ruling sets a prehearing conference (PHC) for January 31, 2002 at 10:00 a.m. It also requires respondents (all energy utilities under our jurisdiction), and permits other parties, to file PHC statements no later than January 25, 2002.

The Commission commenced this proceeding to determine whether current baseline allowances for residential gas and electricity users in California should be revised, and if so, to what new levels. Earlier in the proceeding, the assigned Commissioner bifurcated the proceeding into two phases, Phase 1 and Phase 2.

The Commission has already taken evidence on the Phase 1 issues – (1) updating usage data, (2) determining the percentage of energy usage to use in calculating baseline, (3) making possible changes to medical baseline, and (4) recommending legislative changes. The Commission shortly will issue a decision related to the Phase 1 issues.

The upcoming PHC is intended to develop the scope and schedule for Phase 2 of the proceeding. No later than January 25, 2002, respondents shall, and all other parties may, serve and file a PHC statement addressing the schedule and proposed scope set forth below. Parties shall also e-mail the PHC statements to the assigned Administrative Law Judge (ALJ) at [srt@cpuc.ca.gov](mailto:srt@cpuc.ca.gov), the assigned Commissioner at [gfb@cpuc.ca.gov](mailto:gfb@cpuc.ca.gov), Massis Galestan at [mgm@cpuc.ca.gov](mailto:mgm@cpuc.ca.gov) and Sarv Randhawa at [ssr@cpuc.ca.gov](mailto:ssr@cpuc.ca.gov), both of the Commission's Energy Division. If parties disagree with the schedule or scope, they shall propose alternate versions. To the extent feasible, parties should meet and confer regarding alternate scheduling and scoping in advance of the PHC, so that they are ready to present final alternate versions at the PHC.

#### **A. Proposed Schedule**

I propose the following schedule for Phase 2 of the proceeding:

<b>Event</b>	<b>Date</b>
PHC statements due	January 25, 2002
PHC	January 31, 2002, 10:00 a.m. 505 Van Ness Avenue, State Office Building, San Francisco, California
Simultaneous opening testimony due	February 28, 2002
Simultaneous reply testimony due	March 15, 2002
Evidentiary Hearings	March 25-29, 2002, 10:00 a.m.- 4:00 p.m. daily at 505 Van Ness Avenue, State Office Building, San Francisco, California
Simultaneous opening briefs	April 19, 2002
Simultaneous reply briefs	May 3, 2002

**B. Proposed Scope**

I propose that the Commission address the following issues in Phase 2 of the proceeding:

- Household characteristics (including household/home size and demographics)
- Climate zones and geographic boundaries of each utility's baseline zones
- Well water pumping for household use
- Condominium and other multiple dwelling unit common areas
- Seasonal residence effects on average use calculations
- Definition of seasons
- Rate impacts of changes to baseline

Parties should comment on this list, suggest any issues they feel should be included or excluded, and, most importantly, state whether hearings are required on each issue. If parties believe hearings are required on an issue, they shall identify the factual issues that require evidentiary support and explain why hearings are the best means to gather such evidence.

**IT IS RULED** that:

1. I will hold a prehearing conference (PHC) in this proceeding at 10:00 a.m., on January 31, 2002, in the Commission Courtroom, State Office Building, 505 Van Ness Avenue (at McAllister), in San Francisco, California.

2. By January 25, 2002, respondents shall, and all other parties may, file and serve PHC statements addressing the topics set forth in the body of this ruling. All parties shall also e-mail copies of their statements to the persons indicated above.

Dated January 11, 2002, at San Francisco, California.

/s/ SARAH R. THOMAS

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Sarah R. Thomas  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference and Requiring Prehearing Conference Statements on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated January 11, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.